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Application No. 10/620,960
Attorney Docket No. 009785-0139 (15895US01)

REMARKS

The present application includes claims 25-64. Claims 25-64 were rejected.
By this Amendment, claims 26, 36, 45, and 56 have been canceled and claims 25, 27-29, 35, 37-39, 44, 46-48, 55, and 57-59 have been amended.

Claims 25-28, 30-38, 40-47, 49-58, and 60-64 were rejected under 35 U.S.C. §102(b) as being anticipated by "GlobalSCAPE Releases CuteZIP 1.0" (hereinafter "GlobalSCAPE"). GlobalSCAPE recites that the "CuteZIP incorporates the powerful Twofish Encryption Algorithm and standard ZIP encryption." However, the GlobalSCAPE reference does not include any additional teaching of how the encryption is actually performed or when the encryption is actually performed relative to the compression step. Additionally, the GlobalSCAPE reference does not include a teaching of providing inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file. Also, the Applicant notes that Non-Patent References 30-34 of the IDS of April 18, 2006 that are directed toward CuteZIP.

In actuality, CuteZIP does not provide inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file. This is further evidenced by the enclosed Declaration of James C. Peterson. Mr. Peterson has obtained and evaluated a copy of CuteZip 1.0 and confirms that CuteZIP 1.0 does not provide inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file.

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The fact that CuteZIP is unable to provide inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file makes sense because CuteZIP must follow the then-existing .ZIP format standard in order to represent itself as a .ZIP file and the .ZIP format standard at the time of CuteZip did not provide inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file.

We can be sure as to the content of the .ZIP format standard at the time of CuteZIP because, PKWARE, the present Applicant, is the originator of the .ZIP standard, controls the .ZIP standard, and later proceeded to modify the .ZIP standard to provide inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file.

The rejected claims 25-28, 30-38, 40-47, 49-58, and 60-64 include independent claims 25, 35, 44, and 55, each of which has been amended to recite providing inside the .ZIP format data container an indication of the encryption method employed in encrypting the data file, which is not taught by CuteZip. Support for this amendment is found in many places in the specification, including the chart in paragraph 40. Additionally, claims 26, 36, 45, and 56 have been canceled. Consequently, independent claims 25, 35, 44, and 55 are respectfully submitted to be allowable, as are their remaining dependent claims 27-28, 30-34, 37-38, 40-43, 46-47, 49-54, 57-58, and 60-64.

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Claims 29, 39, 48, and 59 were rejected under 35 U.S.C. §103(a) as being unpatentable over GlobalSCAPE and further in view of Nelson. However, claims 29, 39, 48, and 59 depend from claims 25, 35, 44, and 55 which were respectfully submitted to be allowable above. Consequently, claims 29, 39, 48, and 59 are also respectfully submitted to be allowable.

Claims 25-28, 30-38, 40-47, 49-58, and 60-64 were rejected under 35 U.S.C. §103(a) as being unpatentable over ".ZIP File Format Specification" (hereinafter "ZIP Specification") in view of GlobalSCAPE. However, as discussed above, GlobalSCAPE does not teach the limitation of a single application that first compresses a data file, then encrypts the data file, and then stores the encrypted data file in a .Zip file format data container, as well as providing inside the .ZIP format data container an indication of the encryption strength employed in encrypting the data file.

The .ZIP Specification cited by the Examiner is apparently reference 13 on the IDS of April 18, 2006. This reference also does not teach the limitation identified above.

The rejected claims 25-28, 30-38, 40-47, 49-58, and 60-64 include independent claims 25, 35, 44, and 55, each of which has been amended to include the limitation identified above. Additionally, claims 26, 36, 45, and 56 have been canceled. Consequently, independent claims 25, 35, 44, and 55 are respectfully submitted to be allowable, as are their remaining dependent claims 27-28, 30-34, 37-38, 40-43, 46-47, 49-54, 57-58, and 60-64.

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Claims 29, 39, 48, and 59 were rejected under 35 U.S.C. §103(a) as being unpatentable over ZIP Specification in view of GlobalSCAPE and further in view of Nelson. However, claims 29, 39, 48, and 59 depend from claims 25, 35, 44, and 55 which were respectfully submitted to be allowable above. Consequently, claims 29, 39, 48, and 59 are also respectfully submitted to be allowable.

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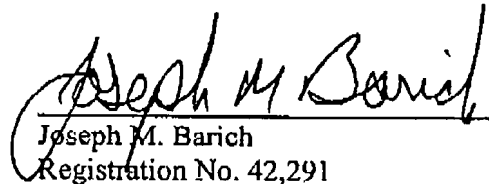
CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: June 6, 2007


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